memo

A.S no. 47 of 1894-95

Appellant: Budwali Subba Rao
Shimoga

This is an appeal against the order date 20th July 1894 passed by the Deputy Comm: of Shimoga directing the levy of assessment on Survey no. 64 of Shimoga the following are the facts of the case:-

In 1837 the Chief Commissioner of Mysore authorized "the allotment free of rent of the extent of land occupied by yours (Nagar Superintendent) and Captain A. Macleod's Houses, gardens and Compounds at Shimoga".

The concluding portion of the Secretary's letter

there is no form as to how the Survey dept has classified it & the assessment from the Survey Deptt was duly it was so treated. After perusal this information may be communicated to the Survey Supdt

13/3

Secy's letter no. 261
of 15.12.1837

Drafted
JKR 15/3

Supdt The Survey Supt reports that the number was classed as Kharab as it was stated to have been granted to Govt officers for purposes of Bungalow building.

to the Superintendent of Nagar runs as follows:-

"The Sanction now conveyed to you and Captain Macleod to occupy the land free of rent, on which your property is situated, will in the Chief Comm's opinion give you a valid title to it, so long as the Mysore Territory is under British administration; and there can be little doubt, he thinks, that the same title would continue to be respected under any change which might hereafter arise".

The survey nos 64 & 64 of Shimoga Kusba appear to be identical with the lands granted to the Supt of Nagar & Captain Macleod free of rent.

These lands somehow came to the possession and Enjoyment of the Appellants' ancestors.

vide Viramyappa's deposition dated 15.3
Hinloais Report of 4.
and Dy Comm's order of 20.7.94

G. R. S. IX-5]

Previous references.

1894—5

~~191~~ .

(2 K—)

Later references.

File No. 91—1894

Serial Nos. 1—13

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—13

Major ~~Part~~ B for Jan 18

SUBJECT.

Remission of water rate on lands held free of rent by C. Subbarau of Shimoga

Countermanded

W D 88—GPB—50,000—31-7-16

Indexed

Hiranyappa grandfather of the appellant stated that his ancestors acquired them by purchase from the original Pattadars. The appellant's ancestors however enjoyed them only free of rent.

In the year Pragoth-patti appellant's ancestor Somia had raised "golam & other (dry) crops on about 5 Khandees of the Bungalow land in his enjoyment. The local officers brought the matter to the notice of the higher authorities. It was then ordered that no assessment should be levied on that land.

Deposition dated 15. 3. 88

vide "Shara" in paper no 5 Somia's "Chitta".

(The records of Pragothpatti connected with this matter have not been found although a search was made therefor.

vide Deputy Comm's order of 20. 7. 94

In his deposition dated 15. 3. 88 Hiranyappa above named stated before the Amlodar that paddy, sugar-cane & the

crops used to be raised on those lands prior to the survey.

At the survey and settlement they (Nos 44 & 64) were exempted from assessment and were treated as Bungalow Khenab. ⊗

In the Sanad list for Sarvadhari 1888-89 it was entered that on a ~~farm grant~~ portion of S. No 44 ~~& on farm 33 grant of~~ and S. No 64 Hiranyappa & Gundappa Sons of Somia above named, had raised paddy, Sugar Cane & other crops by using the water of a Government tank called Agugaliamatere. On the 15th March 1888 Hiranyappa deposed that S. Nos 44 & 64 were held rent free as per Secy's letter No 261 dated 15th December 1887 above referred to, that in 1873 it had been ordered that no assessment should be

Survey Supt's Communication to the Deputy Commissioner 16.3.93

⊗ There is a bungalow on S. No 44 and there is none on S. No 64 vide annual Report 9.4.2.93

levied on those lands, ~~on those of some that~~ ~~they had~~ that the water which had been used for raising the paddy & sugar cane crops was not that of the Govt tank but was one from a "Gundi" and well constructed at private cost in his own land +No. 449 that originally the water from the said Gundi used to irrigate S. No. 64 through his private channel, that some years ago when Government ~~had~~ opened a new ~~road~~ road in that place they constructed a "moharee" (channel) where the private channel had been situated, and opened a kalwe near the said Gundi by the side of the road so that the water from the Govt tank yengalianakere

water for irrigating 1acre
33p ~~as~~ Rs 3-12-0 should be
recovered at the Rate
of Rs 2 per acre.

26-2-89

No 46 should be inspected
when the crop is on it."
In the two following
years the fine was
similarly recovered.

On the 18th Febry
1890 Gundappa father
of the appellant appeals
to the Deputy Commissioner
against the above
order of the ~~Deputy~~ Jamabandi
~~Commissioner~~ Officer.

In the Takrar list
for 1889-90 the jama-
bandi officer ~~has~~ records
that as the Govt tank
water and the water
of the ~~Gundi~~ Gundi in
the appellants' land
both passed through
one and the same
sluice it was impossible
to ascertain which water
irrigates which lands.

On the 20th July 1894
the Deputy Commissioner

observing that the land originally granted free of rent to Govt officers having come to the possession of private individuals there was no ground ~~for~~ whatever to allow such persons to raise crops on such land with the help of water ~~which~~ from the sluices de constructed at Govt cost when the new road was opened by Govt, that until the survey Deptt fixed permanent assessment, assessment should be recovered for the land No 64 on which crops has been raised, at the prevailing rates, and that assessment should be recovered for the ~~years~~ previous years commencing from 1887-88 when the dispute first arose. The wet assessment for Khara was remitted as it had been reported that there was no water in the tank that year.

Land S. No. 44 was left out of consideration both because there was

Deputy Commissioner
Date 4-7-93

might flow into it and
then pass through the
"moharee" to the Govt
lands and that recently
they also opened a sluice
for that "moharee".

The Jamabandi Officer
(Mr. H. V. Rangunday a)
personally inspected the
lands and passed the
following order :-

" I inspected these lands.
S. No 44 does not appear
to be irrigated by the
tank - the land being on
a higher level - water
passes from the sluice of
the Gundi which is situated
in the land of these
people and irrigates
the portion of 1 acre 33 gs
out of S.No 64
on which paddy crop was
raised. ~~out of S. No 64~~
But water from
of the sluice of that tank
is first let into the Gundi
and is afterwards allowed
to pass through the ~~another~~
sluice. For having utilized

vide annexure report of 4.2.93

a bungalow on it and because it had been reported that the tank water could not irrigate it on account of its high level.

The present appeal to Govt is against the above order. The following among others are the grounds of appeal:—

1 That the Deputy Commr acted illegally in having decided the case three & half years after the appeal was filed and without hearing the appellant.

2 That the Deputy Commr has fallen into an Error as to the nature of the tenure under which the appellt holds the land in question.

3 That the appellt is prepared to show that the lands in question are exempt from taxation

I

II

Gen. Serial No. 32.]

189

No. 975

Name of Petitioner. C Sreenivasa Rao

Village.
Taluk. } Shimoga
District.

Date of Arzi. 25-9-94

Date of Receipt. 1-10-94

Date of Disposal.

No. of Enclosures. 1.

ABSTRACT.

Appeals against the order of the Deputy Comr. Shimoga District, directing that S. no. 64 held rent free by patelaroes, should be assessed as Govt. land for the following reasons

That the Dy Comr did not fix a day for hearing Petr and that he decided the case without hearing him and half years after the appeal was filed

That the appellant possesses Govt. records to show that the land

---

...nsultation of the Dy Comrs ... the petitioner -

No

Perusal
Returned to
28/10

In time
Stamp sufficient
Subd for orders -
R 30/10

Call for the
taste for explan
as to the long
delay in the
disposal of this
complaint
BH
31/10

for Sr.
R 2/11
Draft
ordd
2/11

are exempt from taxation

That Pet. therefore prays for orders directing the Dy Coun to hear Pets & hold a formal enquiry and submit the records for orders of Govt.

Further prays that the order of the Deputy Coun may be ordered to be held at abeyance till the disposal of this case

6/12

10

The Deputy Commissioner's order dated 20.7.94 also gives the facts of the case. The translation of the said order is ~~not~~ on the file.

Sd/-
Asstt. D. Comm.
18/4/95

24-16

The extent of R.S. 64 is found 24 acres 16 guntas the whole classed as Kharab. This land has been practically enjoyed as rent free from 1873 and having regard to the assurance of full & undisturbed possession by the then Commissioner it seems inequitable to enforce any abatement on the land after such enjoyment under that title of over fifty years - but a complication seems to have been introduced by the construction of a common channel through which apparently both Govt. water of Yenga-Layyanakere and that stored at private expense in a field or hole constructed by the petitioners pass, making it difficult to find out whether the crops raised were with Govt. or private water. It is desirable to ascertain this fact beyond doubt and also whether it is not possible for the petitioners to make their own arrangements for taking the Govt. water to the land without mixing it with Govt. water. The Govt. is expected to hold an enquiry into these points in the presence of the Patel and submit the result of such enquiry with this opinion before

with the
records.
Revenue Inspector
Revenue Circle
Yenga-Layyanakere
for information
and necessary
action.
Asstt. Commissioner
Chikballapur
7.4.95

B. Lakshmipathi
Asstt. 9/4/95

in original with this appeal -

The grounds of appeal are as follows:-

1 That the Deputy Commissioner has acted illegally in having decided the case three and half years after the appeal was filed without fixing any date for hearing the appellant and without in fact hearing him at all.

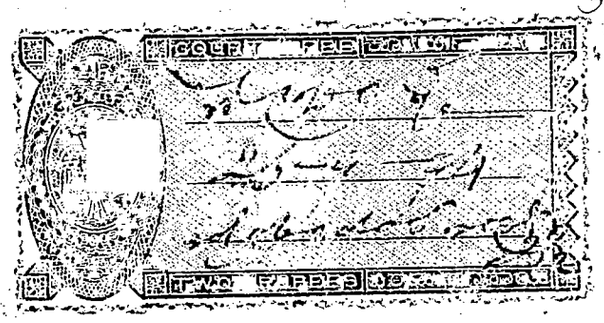
2. That the Deputy Commissioner has fallen into an error as to the nature of the tenure under which the appellant is holding the land in question.

3. That the appellant is prepare to shew by Government records that the lands in question are ex-empt from taxation

4. That before the Honnali Tareker road was opened, the petitioner was irrigat his land by rain water collected in his

Gnoi

Rev Depts
Shimoga appeal



Rev C: 1
Sec: 1
24-7-95

In the Council of His Highness the
Maharaja of Mysore.
Bangalore.

975-R
1-10-96

Revenue Misc: appeal No of 1894-95.
A.C. 47 of 94-95

Appellant. Endmalli Subba Rao, son
of C. Gurusappah. Resident
of Shimoga.

The appellant named above most
respectfully begs to appeal to this Honorable
Council against the order of the Deputy
Commissioner. Shimoga District directing
that Survey No 64 of Shimoga, in the occupancy
of the Appellant, which he holds rent free,
be assessed as Government land. The circum-
stances of the case are mentioned in detail
in the Deputy Commissioners order submitted
in

may be passed to suspend the operation of the Deputy Commissioner's orders until a regular decision is passed in the matter.

Dated 25th September 1894. C. Subba Rao.

Gundi in Survey No 44 and this Eight cannot be taken away by the mere fact of the Government of their own accord letting tank water into the said Gundi through a sluice intended for the irrigation of some fields under the tank, newly constructed at the time of opening the Hemadi Tankere road to suit the convenience of Government. The appellant has no objection to the sluice being closed up, if Government consider it necessary after due provision is made for the irrigation of the fields depending on this sluice.

6. The appellant therefore prays that the Honorable Council will be pleased to send an order to the Deputy Commissioner to hear the petitioner, hold a formal enquiry and submit the records for the orders of the Honorable Council.

7. He also prays that orders may

7

Translation of the deposition from the Dy. Court of the Chiefs District to Headquarters Cable Car 1 regarding Chiefs Kaeaha on their Criminal Case No 256 of 1890.

On hearing, Ranui deposes on oath, I am a Police Constable No. 64 in the Chiefs Kaeaha Village by birth. I was [illegible] the Criminal Office this day on duty from 8 - 12 - m. The following is the report to the Inspector on 4 - 12 - 90.

All the persons present at the Meeting were Chiefs.

1. On the 15th December 1887 the Commissioner of Police received instructions and the Inspector issued instructions to the Lieutenant of Police and to Captain A Mitchell for Headquarters Cable Car Constable for Police Duties - Police Letter No. 261.

2 - It is suggested from the Statement given by Hemipepa on 15-3-88 that the said Chiefs Police Station Cable Car Police Constable (Hemipepa) [illegible] Chiefs Kaeaha

In place of the Southern one another was built by Government when Hormali Jaripore road was opened. The water of this Sluice flows into a pit in the Bungalow compound in Survey No. 64, from where the water is supplied to Survey No. 64 by an aqueduct built over the Jaripore road. In 1897-98 wet crop had not been raised on S. Nos. 61 & 64 the matter was brought to Executive Engineer's notice and the Mamlatdar was requested to charge Kandayam without charging Kandayam on the ground that the crop had to be raised by lifting the water as Survey No. 64 was on a higher level than the pit. And as Survey No. 64 was being cultivated by the water of this tank Rs. 2 an Acre was charged per acre and recovered. The same rate was similarly recovered in the following two years. Annually wet assessment for the portion where wet crop is raised and dry assessment for the portion where dry crop is raised in Survey No. 64 as will have to be charged

6. There is no ground to excuse Kandayam on this head when the same which was granted free to Govt. officers for Bungalows, which was transferred to the possession of a private party and which was made separate when a new road was laid by Govt. is being enjoyed by the present holders by raising wet crop by the help of this tank built by Government

It is but right to charge wet assessment for the portion where wet crop was raised and dry assessment for the portion where dry crop was raised from 1887-88 when the new tahsil was instituted, by excising ~~to charge~~ assessment therein from the time when the land was commenced to be cultivated. A statement should therefore be prepared and submitted to the Survey department with a view to ~~ask~~ separately the portions of wet and dry lands in Survey No. 64 and fix assessment thereon. In a corner of the said No. situated at the edge of the river thatched huts are built. This portion and the other corner where detached huts are, should be shown as "plant thatch". Since it is understood that wet crop was not raised on the said land owing to the paucity of water in the tank no wet assessment should be charged for that year. Wet crop having been raised on this land in Vellanti, Irumbanna, and Vijaya wet assessment at the rate prevailing in the neighbourhood should be charged and recovered for the above three years. and dry assessment at the rate prevailing in the neighbourhood should be charged for the portion where dry crop was raised and recovered from 1887-88.

Assessment at the above rate should be recovered till permanent rate is fixed by the Survey department.

The matter has been decided and order has been issued to the Taluk - Dated 20-7-94

3. Mrs Pearce died in the County
Road Police Station, Ladywood, on the
morning of the 5th, at 7 o'clock
after the Coroner's inquest was held.

4. Mrs Dale died in Lozells (1871-72)
a verdict of Accidental
death returned. Evidence for Prosecution, they ascertained
on 5 Oct. that she had not had sufficient
nourishment to live upon properly.
Mr Merrick, it was pointed out by the
Dep. Superintendent, that he knew upon
his own knowledge, that this
statement is entirely false by
Yesterday's Standard that Mrs Dale
to the above effect was false from the Coroner
Mr Merrick pointed out that the Police
did not prosecute and that the Coroner
the Deputy Superintendent said.

5. Miss Jane Brayshaw with a compound fracture
of the Leg, Queen
Mrs Brayshaw, Ladywood Rd.
Mrs Brayshaw said the Case is being
Employed by Canning, Cope, Chatham, Copper-
-Cane and Lucas & Cope on the Queen's Road
Factory. Mrs Brayshaw has
Claim for Compensation. After
the Inquiry was held the Coroner
with Mrs Brayshaw to Queen's

No. 639

8-11-9

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 975
dated 25th Sept 94 received at the
Dewan's Office from C. Subba Row of
Shimoga, appealing against the order
of the Dy. Com[r] dismissing his no. 64
Re Cowle free by Petitioner ~~Rent~~ to
received as ~~Port land~~
is forwarded, together with its
enclosure[s], to the Deputy Commissioner
Shimoga District for Submission
of the Circle Ord. relating to the
~~the is for the removal of certain~~
~~Cowle for~~
~~be~~ explanation as to the long
delay in the disposal of Petitioner's
Complaint
The Petitioner's Enclosures
should be returned

By Order,

Bangalore,
8-11-1894

Chief Secretary.

(Initials)

2/11

12

Gen. Serial No. 31.]

OFFICE OF THE

1894 7748

14

Pet 356

From The Dy Commissioner
Shimoga District

To Chief
The Secretary to the
Dewan of Mysore.

Dated 10th December/94

Despatched

Received

Enclosures—No. 2 with Record

General No. 395

No. 395

With reference to his Pet
memorandum No. Pet 639 of the
31st October 194 forwards
the entire proceedings relating
to the petition of C. Subba Row
of Shimoga.

P.D. 13.2.95
4 pm.
Put up
Subject
15.2.95
Ack

P.R. 71-95
Secy

13.

1894

From

The D/ Commissioner
Shimoga District

To

The Chief Secretary to the Govt
of Mysore.

D/ 10th December/94

No 395 En 2 with record

His Official Memorandum No Jet 639 dated 31st October last forwarding for submission of the records with an explanation for delay, a Petition with enclosure from C. Subba Row of Shimoga appealing against the order of the D/ Commissioner directing that Survey No. 64 held rent free by Petitioner be assessed.

In returning the enclosures of the above, has the honor to forward the entire proceedings relating to the Case.

2. The Cause of delay in the disposal of the Case was owing to the want of references which had to be obtained from the Taluk Amildar, Survey Department and the late Chief Commissioner's Office

Supt. Rev: Survey.

13.3.95

20.

15283

No. Pet: 1313

Forwarding herewith reference and obliging ref Petition No. 975- noted by C. Subba Rau asking against the Shimoga Commissioner stating the Collection assessment of Survey &c in Shimoga Cutcherry in him, has the a Request that Dept of Revenue may kindly be good enough to report how much has been paid and if as much why it was treated.

By order

19/3/95

Asst: Chief Secy

Rev.

Ufs/3

(25)

Gen. Serial No. 31.]

189

From

To

Dated

Despatched

Received

Enclosures No.

General No.

No.

2) Mico and also to the necessity of the local investigation of the matter.

For Commissioner
Shimoga Dt

(General Serial No. 30.)

OFFICE
189[illegible] 26 MAR 95 No. 725-98
Pat 579

From The Supt. Mysore Rev. Survey

To

The Chief Secretary to the ~~Dewan~~ Govt. of Mysore.

Dated Bangalore 26th March/95

Despatched

Received

Enclosures No.[s] 2

General No. 142
No.

In reply to ~~Docket~~ No. 15-283/P1313 dated 13th March 1895

SUBJECT.

Reporting upon Survey No. 64 of Kasba Shimoga which has been classed as Kharab.

References (to be entered only in the Dewan's Office).

No 142 17

Survey Department Office
Bangalore 26th March 95

To

The Chief Secretary to the
Government of Mysore
Revenue and Statistical
Department

Sir,

I have the honor to state
in reply to your Docket No
75253 dated 23rd March 1895
Pol No 213

that Survey No 64 in
Kadur Shimoga was found
at time of classification

to

19 (30)

was not assessed

2 Petition No. 945 with its enclosure is herewith returned.

I have the honor to be
Sir,
Your most obed.t Servant
H Spencer
Supt. Mysore Reserve Survey

to be rent free and not
stated to have been granted
to Government Officers for
the purpose of Bungalow
building. I have not the
Settlement Papers by me
and they are kept in the
Taluk Cutcherry, recollection
is that at the settlement
the existing state of things
was admitted and the land
was

Rec. of the Govt. of Bombay

20

Read:-

Letter No. 5565/395 dated 16th December 1894 from the Dy. Commr. N. Kanara Dharwar submitting the records relating to the complaint of C. Subba Rao of Shirsi against the collection from him of assessment on survey No. 64 in Shirsi a taluka.

L.R. 71-1894 & 6

Order Recommended:- No. 17155 dt. 7.4.95 F. 1387

~~Approved~~

The extent of No. 64 is the good land adjacent to Shirsi No. 1 Pole classed as kharab. The land has been practically waste for a number of years and having regard to the assurance of fair and valid title held out by the Revenue Commissioner it seems unjustifiable to impose any assessment on the land after resuming enjoyment under such title of rent free. But a complication seems to have been introduced by the Commissioner

From

To

Dated

Despatched

Received

Enclosures No.

General No.

No.

of a common source through
their apparently both
[illegible] Gen. water of
Yuzyalayama Here and
that dried at intervals
Sufficient in a pit or
Hole constructed by
the petitioners place making
it difficult to find out
whether the two springs
were with Gen. of hence
water. It is desirable
to ascertain this fact
beyond doubt and it is
desirable it is not possible
for the petitioners to
make this an arrange-
ment for taking the
Gen. water for the
land in dispute when
mixing it with Gen.
water. The Asst. Comm.
is requested should
any enquiry in this case
points in the presence
of the petitioner and sub-
mit the result of such
investigation with his
opinion thereon.
Pending final decision
the Asst. Comm. will
hold in abeyance the
collection of assessment

now

Gen. Serial No. 31.]

1895

From The Deputy Commissioner Shimoga Dist. Ref: 639

To The Secretary to the Government of Mysore.

Dated 8th 15-5-68

Despatched

Received

Enclosures—No. Cum: papers

General No. 1106

No. 4654

With reference to Govt Pro: No. 17155 dated 7th April 1893 recommends the abandoning of the old sluice as recommended by the Executive Engineer

Ref to the Hon. Councillor 16/5

Sanction the change of the position of the sluice by which the Potail get no water. Write to the Potail's statement regarding his proposal to levy water rate & submit it when 18/5/95

Ref 16/5

Not indexed. 22

The items are returned for further reference and consideration.

LL 10/4

Rec'd. 10/7. and reg.

RC's order.

To

Miss Jennie Lipford

JWR 9/4

No. 1106 en cuadruplicado
1895

Office of the Dy. Commr.
Shimoga
Camp Shikarpur
Dated 8th May 1895

From

The Hon'ble Deputy Commissioner
Shimoga District

To. The Chief Secretary to the
Govt. of Mysore

Sir I have reference to Government order No. 14155 / P. 1387 dated 4th April 1895 on the subject of taking water to Survey No. 64 of the village of Shimoga, I have the honor to state that I have inspected the land, canal, sluice the Gumasta in Company with the Amildar of the Taluk, the Executive Engineer and the owner of the land. There is no way for taking water to Survey nos. 45 and 46 which are Government lands adjoining No. 64 excepting through the Petitioners Gumasta, unless the site of the present sluice

sluice is changed. The Executive Engineer is of opinion that the existing sluice and the two cisterns below it are out of order and that the cost of their repairs will almost reach the same amount as that of constructing a new sluice in irrigate Survey nos. 45 and 46 by which arrangement there is no chance whatever of Government water flowing into the petitioners' Garden. On local enquiry, I learnt that the sluice in question was on the eastern side of the bund and that when the Nonnalli Tarikere new Road was formed some years back it was transferred to present locality. The Executive Engineer thinks that the sluice can be transferred to former place without any inconvenience. As this arrangement will put an end to the dispute between the owner of Survey No 64 and Government,

I

I would recommend that this proposal may be sanctioned.

2. The Gunor is a small water course and so far as I could judge is not capable of holding water to irrigate an acre or so, upland. The accounts show that the petitioner has been raising from 1887-88 last crop an average 7 acres upland out of Survey No. 64 for which he is, in my opinion, bound to pay water rate.

3. By changing the locality of the sluice the Government water will not run into the petitioners Gunor, and I am sure that the Gunor water will not be sufficient to irrigate 6 or 7 acres out of No. 64. I therefore advised the petitioner to agree to the imposition of water rate on the area commanded by the sluice in question. As he does not consent to this arrangement and as the cost of constructing a new sluice to command Nos. 45 and 46, comes almost to the same amount as repairing the old one, I would recommend

recommend the abandoning of the old Sluice as recommended by the Executive Engineer.

4 The circular records ending with Auditors report No 106 dated 29th April 1895 are herewith submitted.

I have the honor to be
Sir
Your most obedient Servant

[illegible]
Asst. Deputy Commissioner
Limerick District

[illegible]

Encls. of the Govt of Bengal

78

Read—

(1) Petition No 195 dated 20th October 1894 from C. Murria Ron of Shimoga praying against the order of the Deputy Commissioner of Shimoga directing that Acre 24 at Shimoga should be by Petitioner be assessed.

(2) Letter No 192 dated 20th March 1895 from the Supt Mysore Rev. Survey stating that the said land was not assessed as it was found to have been granted rent free to a Govt Officer for the purpose of building a bungalow

(3) The following order of Govt No 1755 P. 1387 dated 7th April 1895

(Enter in extenso)

(4) The following report from the Deputy Commissioner Shimoga District No 1106/854 dated 5th May 1895

(Enter in extenso)

(5) Order thereon No 22609-11 dated 5-8-95

The change recommended in para 1 of the above report in the position of the survey, by which the Petitioner will get no water for land No 64, is sanctioned.

2. With reference to para 3 of the report the Deputy Commissioner is requested to take the Petitioners

12-91-1894

Sept 8

24/8-8-95

116.

From

To

Dated

Despatched

Received

Enclosures No.

General No.

No.

43

Gen. Serial No. 31.]

189

OFFICE OF THE DIWAN OF MYSORE. 17772 22 JUN 1895

Rev. Councillor

From The Superintendent Shimoga District

To Rev: Govt
The Secretary to the ~~Dewan~~ of Mysore.

Dated 19th June 1895

Despatched

Received

Enclosures—No. 2

General No. 1317 & 1894-95
No. 966

With reference to Govt Proc No 22409-11 dated 18th ultimo, I forwards a Notice served on C. Subba Rau and the Statement given by him on the 17th inst.

Rec: 1752

Petn 21/6/95

It is desirable that the water cannot be channelled beyond the limit that hitherto water was used in previous years the water rate charged on the land irrigated remitted. In future care will be taken that no surplus water is unprofitably used

1/7/95

Upon the accts. I should have proposed that the water rate levied was calculated by the Councillor

1-6-95

Rev 2/7

Orders issued 1/7

1894-95

From The Deputy Commissioner
Nuddea Division

To The Revenue Secretary to the
Government of Bengal

Dated the 15th June 1895

No. 1317/966 } 1894-95

Encl 2

Government Proceedings No 22
Rev. 17

dated the 18th Ultimo —

—

With reference to para 2 of the above, I have the honor to forward herewith a notice served on C. Subba Row, and the statement given by him before the Undersigned on the 17th Instant refusing to pay water rate on Survey No 64 referred to in the above —

I have &c

Deputy Commissioner

1894

29

His Highness' Agents to Zanzibar

Statement regarding the proposal

to lay water-mains and submit the

same to Govt

Draft.

Re-submitted

Chief Secretary

To

The Dy: Commr Mombasa District

" Superintendent Revenue Survey

" Chief Engineer in Mombasa

Pur. of the Govt. of Bengal.

32

Read:—

Docket No: 1317/9.66 dated 19th June 1895 from the Dy. Commr. Shimoga District, submitting his reference & Para 2 of Govt. Order No: 22409-11/P.1752 dated 12th Sept. 1895, the Statement of Petitioner Latta Row, declining to pay water rate for the portion of Survey No. 64 at Shimoga which is cultivated by wet cultivation.

Order Passed - R: 477/P.96 dated 11.9.95

Govt. cannot be satisfied beyond doubt that Govt. water was used in previous years, the water rate, charged on the land will be remitted. In future care should be taken that no Govt. water is used unless permission is obtained.

2. The records are returned.

C.
11-7-95

Draft.

Rec: Secy.

C.
10/7

To the Dy. Commr. Shimoga

LR 71-94 Se 10.

No. 975

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT,

The 23-7-1895

Endorsement granted to Caduvalli Subba Rao son of C. Gundappa, residing at Shimoga

in reply to his Petition Registered No. 975 dated 25 Septr 1894 appealing against the order of the Deputy Comm^r of Shimoga directing that Survey No 64 of Shimoga held rent free by Pet^r be assessed to pub^c revenue.

Petitioner is ~~informed that~~ referred to the Dy Commissioner to whom instructions have been issued in the matter.

Enclosure returned.

'By Order'

23-7-95

Revenue ~~Chief~~ Secretary.

M.G.C.P.B—19-2-95—1,000

-7-95

From

To

Dated

Despatched

Received

General No.

No.

Enclosure No.

34

189

REVENUE DEPARTMENT
DEWAN'S OFFICE
DEC 1897

From The Deputy Commissioner
Shimoga District.

L.R. 91-94
Sec

To The Secretary to the Govt
of Mysore General and
Rev. Departments.

Dated 6th November 1897.
Despatched 15 December 1897
Received
General No. 737
No. 603

Enclosure No. 1 Kan 2 Tabs

I submit for Sanction a
Refund bill for Rs 11. 10. 4
in favor of C. Subba
Rao a Khatedar of
Shimoga Taluk

Rev
18/12/97

Refer to
please send useful part of map
granted in favor of Subba.

Ref. sent
21/12/97

Rev
16/12/97

were pleased to order in Proceeding (50)
No: 477 dated 11th July 1895, the re-
P. 96
-mission of the water rate recovered
from him.

ling with the
inaga Anil-
No: 2929
10.97.

4. The Kannada papers connected with the case are enclosed for reference and kind return.

I have the honor to be
Sir,
Your most obedient servant

Sd/-
For Offg: Deputy Commissioner
Shimoga District

35

No 737/603
Inv/Encl
Do

Deputy Commr's Office
Shimoga District
6th November 1892.
16/12/92

Hon. Secretary to the Government
of Mysore General and Rev.
Department.

Sir

I have the honor to forward for sanction a Refund bill for Rs 11. 10. 4 in favor of one C. Subba Rao a Khatedar of Shimoga Taluka.

2. Subba Rao was found to have cultivated a portion of Kharab lands included in his Survey No: 64 with wet crops by the use of Government water and fined at the rate of Rs 3-12-0 per annum during 3 years from 1887-88. A Sum of Rupees 11. 10. 4 including the fine and interest due thereon, was recovered and credited.

3. On his petition, the Government

were

37

Wage for engineering

95

Read.

Letter No 737 of the 6th
603
November 1897, (despatched
on the 16th December 1897) from
the Dy: Commr, Shimoga Dt,
submitting for sanction,
in pursuance of the order
contained in Govt: Pro: No
477 of 11th July 1895, a
P96
refund bill in favor of one
C. Doddabasappa, Khotedar of
Shimoga Kasba, for Rs
11-10-4; being the amount
of fine & interest recovered
from him for having encroached
a portion of Kharab land
attached to his Survey No 64
with dal crop, requiring the
Govt sanction, but remitted
in the Pass alone referred to
in
Order thereon.

The bill is sanctioned
& forwarded to the Comptroller
for audit.

20/11/98

To
The Dy: Commr, Shimoga Dt
The Comptroller with bill

Rr-71-94
8e 13

No 6982-3
" 7C 659.1 26.1.98
26
Sw 1 & V.P.